

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Levergood et al.
Appl. No.: 09/548,235
Conf. No.: 6069
Filed: April 12, 2000
Title: WEB ADVERTISING METHOD
Art Unit: 2155
Examiner: Patrice L. Winder
Docket No.: 113948-026

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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RCE SUPPLEMENTARY RESPONSE

Sir:

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This Response accompanies the present Request for Continued Examination (RCE) and is submitted in response to the Office Action dated October 22, 2003, and to the Advisory Action dated March 15, 2004. The Advisory Action stated that insufficient evidence was submitted in support of the affidavit submitted with the Response dated February 24, 2004. The Applicants wish to point out that the printed code provided in the specification clearly identifies the code as being created on March 1, 1995 (see col. 35 of US Patent No. 5,708,780, of which this application is a continuation application). This predates the prior art date of at least the *Catlege* references cited in the Office Action. To supplement the specification, an additional 37 C.R.R. § 1.131 affidavit will be filed in due course.

For at least these reasons, the Applicants submit that the present application is patentable over the prior art, and an early notice of allowance is earnestly requested.

Respectfully submitted,

BELL BOYD & LLOYD LLC

BY


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Dated: April 22, 2004

IFW?

PTO/SB/30 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
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Alexandria, VA 22313-1450

| | |
|------------------------|---------------------|
| Application Number | 09/548,235 |
| Filing Date | April 12, 2000 |
| First Named Inventor | Thomas M. Levergood |
| Art Unit | 2155 |
| Examiner Name | Patrice L. Winder |
| Attorney Docket Number | 0113948-026 |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on

- ii. ☐ Other

- b. ☒ Enclosed

- i. ☒ Amendment/Reply

- iii. ☐ Information Disclosure Statement (IDS)

- ii. ☐ Affidavit(s)/Declaration(s)

- iv. ☒ Other return receipt postcard

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required).

- b. ☐ Other

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to

Deposit Account No. 02-1818

- i. ☐ RCE fee required under 37 CFR 1.17(e)

- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

- iii. ☒ Other any additional fees

- b. ☒ Check in the amount of \$ 770.00 enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)

Peter Zura

Registration No. (Attorney / Agent)

48,198

Signature

Peter Zura

Date

April 22, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

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Renee Street

Date

April 22, 2004

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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